

**U.S. DEPARTMENT OF STATE
U.S. EMBASSY SEOUL, CONSULAR SECTION, NON-IMMIGRANT VISAS**

32 Sejong-no, Jongno-gu, SEOUL 110-710 KOREA or
9600 Seoul Place, Washington DC 20521-9600 USA or
Unit 15550, APO AP 96205-5550

INTL FAX 822-736-6839, DOMESTIC FAX 02-736-6839, EMAIL seoulniv@state.gov

Information pertaining to nonimmigrant visa (NIV) applications for family members of U.S. Forces Korea (USFK) personnel or of a U.S. citizen/immigrant living in Korea.

U.S. visa law states that NIV applicants are in fact intending immigrants. Successful NIV visitor (B1/B2) applicants must demonstrate that they will return to a life outside the U.S. after a temporary stay in the U.S. The law places the burden of proof on all applicants to overcome presumed immigrant intent and makes ineligible any applicant who cannot overcome this presumption. Doubts about an applicant's intent or identity often lead to NIV ineligibility. An NIV is no substitute for an immigrant visa.

The law does not allow us to advise applicants on how to qualify for a NIV or overcome ineligibility. It is up to applicants to show evidence of ties abroad so compelling that they would be forced to leave the U.S. While the law requires that we decide each application on its own merits, and not on any particular document or personal assurance, submission of the following items will speed the application process:

- ☐ Applicant's current passport, showing SOFA/Korean reentry status if not Korean;
- ☐ NIV application (DS-156/157), completed and signed, with photo attached;
- ☐ Original receipt showing payment of \$100 NIV application fee at HanMi (KorAm) Bank;
- ☐ Official letter stating sponsor's transfer date; USG orders showing stay in Korea or onward assignment outside of the U.S.; employment contract; house lease; school enrollment or other evidence of an ongoing life in Korea the applicant must resume after a temporary stay in the U.S.;
- ☐ Birth, adoption, divorce, death, marriage certificates or family census register for each applicant to show identity and complete relationship to sponsor;
- ☐ Evidence of sponsor's U.S. citizenship/immigration status;
- ☐ Written explanation of travel plans;
- ☐ Previous passport(s).

Detailed instructions and downloadable forms are available at: <http://usembassy.state.gov/seoul>

Family members of USFK personnel or of U.S. citizens/immigrants living in Korea are likely to be future immigrants. An NIV applicant may have "dual intent" for a temporary stay now and to be an immigrant later. We insist that sponsors file immigrant petitions (I-130) for eligible children, parents and spouses right away with the Department of Homeland Security/Immigration. Filing an I-130 early allows sufficient time for immigrant visa processing and an approved I-130 does not expire.

All applicants should only come after they thoroughly review our website for downloadable forms and information, and fully comply with all NIV instructions. Please remember that appearing for an interview does not equal eligibility and if an applicant is found eligible it will take at least several days to process a visa. U.S. law makes it solely the applicant's responsibility to qualify for the appropriate visa in time to suit travel plans.

Spouses and minor children of USFK personnel may come for an interview without an appointment at the first floor of the Embassy's side visa entrance at 0830 Monday-Friday (except Korean and U.S. holidays). All other applicants must make an appointment before appearing for an interview.